

Feds seek recovery for LaBarge refinery cleanup

By BRODIE FARQUHAR
Star-Tribune staff writer

The Environmental Enforcement Section of the U.S. Department of Justice has filed a complaint and a proposed consent decree for a settlement of cleanup expenses incurred by the federal government, at an abandoned petroleum refinery near LaBarge.

Linda Fivas, senior environmental analyst for the Wyoming Department of Environmental Quality, responded to a complaint in 1998, regarding the R.J. Refinery. She called for assistance from the Environmental Protection Agency. During a site visit, inspectors for the state and federal agencies found a small laboratory in a Quonset hut, and 75-100 bottles of various chemicals.

"Some of the bottles were quite old," Fivas said, adding that some labels could no longer be read and that poor seals had led to chemical crystals forming on the outside of the bottles. The bottles contained acids, oxidiz-

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LINDA FIVAS, SENIOR ENVIRONMENTAL ANALYST FOR THE WYOMING DEQ

ers and other flammable chemicals, she said.

Fivas said the state doesn't have an emergency fund for the disposal of hazardous chemicals, so it asked the EPA to handle the cleanup.

"The EPA hired a company which came in, containerized the chemicals and disposed of them at a licensed, hazardous waste disposal site," Fivas said. The expense to the U.S. Treasury was \$45,566.41.

The refinery, in LaBarge, Lincoln County, is actually the result of a merger of two smaller refineries, one of which was a "topping plant," which blended gasoline with tetraethyl lead, Fivas said.

A complicating issue, said Fivas, is that the owner, Re-land Mark Johnson, who managed the small refinery from 1983 to 1997, has died, leaving a will. Fivas said her son, Mark Johnson, of Salt Lake City. "The will has never been probated, so the refinery is owned by a 'dead man,'" Fivas said. She didn't have a statewide tally, but said there are several "orphan" refineries in Wyoming, whose owners have died or walked away.

Nevertheless, federal attorneys managed to locate and work out a settlement with the younger Johnson, for \$5,000. Both the complaint and the proposed consent decree were filed Jan. 5 in the U.S. District Court in Cheyenne, said Carol Statkus, assistant U.S. attorney in Wyoming.

The civil action for recovery of costs is filed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), said David Dain, trial attorney for the U.S.

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10 highway contracts

CHEYENNE (AP) - The state Transportation Commission has awarded \$37.7 million in contracts for 10 highway projects.

The largest contract, to rebuild eight miles of Interstate 80 east from Point of Rocks, was for \$11.9 million. Lewis & Lewis Inc., of Rock Springs, has until Sept. 30, 2002 to finish the work, according to the Transportation Department.

An \$8 million contract to rebuild nearly 8.4 miles of I-25 about nine miles southeast of Douglas went to Simon Con-

tractors and Subsidiaries, of Cheyenne.

Simon will also get \$115,000 to resurface a half-mile of U.S. 85 in Cheyenne.

A contract of \$5.6 million went to Rissler & McMurry, of Casper, to rebuild six miles of U.S. 14 about 14 miles southeast of Sheridan.

To rebuild two miles of U.S. 14A about four miles northeast of Cody, COP Construction, of Billings, Mont., was awarded a \$5 million contract.

Rissler & McMurry also received a \$4.4 million contract

to rebuild 5.3 miles of Wyoming 24 about four miles west of Aladdin.

Other contracts were awarded for rebuilding of U.S. 191 just north of Rock Springs, for \$1.2 million, and rebuilding a half-mile of Wyoming 30 west of Basin, for \$1.1 million.

A \$306,000 contract went to Flare Construction, of Coalville, Utah, to build a deer underpass on U.S. 30. And L&M Construction, of Cheyenne, will get \$169,000 for crack sealing on roads in six counties.

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an area where many former internees and their families still reside.

Among the couple dozen people attending the presentation in Los Angeles were former internee Alan Kumamoto, 61, and his wife Joanne, a board member of the foundation. She believes owning the land on which the center will be built will "open up a lot more possibilities" for the center, which she hopes will "take people through the emotional experience" of the relocation camp.

"Wyoming and California are so far apart in so many ways, I wasn't sure how people would respond, but this is something people have really supported," Joanne

a civil rights standpoint, it was the truth we can learn from."

Kumamoto was 2 when his family gathered at the staging area of the Santa Anita race track in southern California to board the train for the Heart Mountain Relocation Camp, where 10,000 other Japanese Americans were forced to live during World War II.

"My initial memories were kind of reconstructed for me, but when we left the Santa Anita race track, I guess, cried all the way on the train because I was uncomfortable and sensed something, so my dad took me in between the railroad cars where there were guards, but he insisted I needed to be there," Alan recalls.

He also remembers walk-

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Department of Justice's environmental enforcement section.

"Once we get the proposed settlement published in the Federal Register, we'll start a 30-day public comment period on the settlement," Dain said. The public comment period, though rarely used, can bring new information to Justice or the court that could affect the terms of the settlement.

If there are no public comments, Justice will ask the court to approve the settlement as is, Dain said.

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